

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

FRED A. CONNER,

PLAINTIFF,

VS.

CIVIL ACTION NO. 4:05CV33-P-B

**AMERICAN PUBLIC LIFE
INSURANCE COMPANY,**

DEFENDANT.

ORDER

In accordance with a Memorandum Opinion issued this day, **IT IS ORDERED AND ADJUDGED** that:

- (1) Defendant's Motion for Judgment on the Pleadings [23-1] is **DENIED**;
- (2) Defendant's Motion to Stay Consideration of Plaintiff's Cross-Motion for Partial Summary Judgment [32-1] is **GRANTED**; and
- (3) The parties are to contact the U.S. Magistrate Judge within 10 business days of this order to obtain a new scheduling order which shall include scheduling for class certification.

SO ORDERED this the 6th day of September, A.D., 2006.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE